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**Letter dated 18 July 2005 from the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire addressed to the President of the Security Council**

On behalf of the Security Council Committee established pursuant to resolution 1572 (2004) concerning Côte d'Ivoire, and in accordance with paragraph 7 (d) of Security Council resolution 1584 (2005), I have the honour to transmit herewith the interim report of the Group of Experts on Côte d'Ivoire.

I would appreciate it if this letter, together with its enclosure, were brought to the attention of the members of the Security Council and issued as a document of the Council.

(*Signed*) Adamantios Th. **Vassilakis**
Chairman
Security Council Committee established pursuant to
resolution 1572 (2004) concerning Côte d'Ivoire

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## Annex

### Letter dated 8 July 2005 from the Chairman of the Group of Experts on Côte d'Ivoire addressed to the Chairman of the Security Council Committee established pursuant to resolution 1572 (2004)

On behalf of the members of the Group of Experts on Côte d'Ivoire, we have the honour to transmit herewith the interim report of the Group of Experts, in accordance with paragraph 7 (d) of Security Council resolution 1584 (2005).

(*Signed*) Atabou **Bodian** (Chairman)
Alex **Vines**
Jean-Pierre **Witty**

**Enclosure**

# Interim report of the Panel of Experts submitted pursuant to paragraph 7 (d) of Security Council resolution 1584 (2005) concerning Côte d'Ivoire

## I. Summary

1. This is a progress report of the Panel of Experts on Côte d'Ivoire as requested by the Security Council in resolution 1584 (2005). Since mid-April the Panel has conducted to date over 100 official consultations in 13 countries, including Côte d'Ivoire and most of its neighbours. The Panel has liaised closely with other expert groups, United Nations agencies, the United Nations Operation in Côte d'Ivoire (UNOCI) and the French forces there (Licorne). The Panel is pleased to note general awareness of resolutions 1572 (2004) and 1584 (2005) but notes that there is widespread confusion about the fine detail and recommends that the Committee examine this.

## II. Introduction

2. Pursuant to Security Council resolution 1584 (2005) of 1 February 2005, the Secretary-General appointed a Panel of Experts on Côte d'Ivoire to examine and analyse information by UNOCI and the French forces; and to gather and analyse all relevant information in Côte d'Ivoire, countries of the region and, as necessary, in other countries, on flows of arms and related material, and provision of assistance, advice and training related to military activities.

3. This Panel was also requested in the resolution to report to the Security Council within 90 days from its establishment, through the Committee, of its progress. This is the progress report. A final report by this Panel with findings and conclusions will be submitted to the Committee, which will report to the Security Council prior to the expiry of the Panel's mandate in October 2005.

## III. Methodology of the investigation

4. This Panel used evidentiary standards in its investigations similar to those used by the expert groups on Liberia (see S/2005/360) and Sierra Leone (see S/2000/1195). Wherever possible, the Panel relied on fully authenticated documentary evidence. Where this was not possible, the Panel required at least two credible and verifiably independent sources of information to substantiate a finding. The investigation is currently ongoing, so in this report the Panel will not outline detailed conclusions. It is currently investigating a number of cases to establish if violation of Security Council sanctions occurred. Where necessary, allegations against States, individuals and enterprises have been, or will be, put to those concerned, to allow them the right to reply.

5. The Panel of Experts consists of its chairperson and civil aviation expert Atabou Bodian (Senegal); an expert on weapons sanctions busting, Alex Vines (United Kingdom of Great Britain and Northern Ireland); and an expert on customs and investigation, Jean-Pierre Witty (Canada). The Panel is assisted by a consultant with police investigative and revenue experience, Agim de Bruycker (Belgium). The Panel's Chairman experienced a serious medical condition in mid-May and the

customs expert Mr. Witty joined the Panel on 14 June; this affected the pace of the Panel's investigation.

6. The Panel began its mandate on 18 April 2005 and consulted with the Committee soon afterwards in New York. Following additional consultations with other United Nations agencies, States, individuals, non-governmental entities, academic institutes, think tanks and enterprises in New York, the Panel visited France and the United Kingdom in May for the same purpose. The Panel then visited the neighbours of Côte d'Ivoire: Guinea, Mali, Burkina Faso and Senegal as was requested in the resolution (see annex for details). In Guinea and Burkina Faso the Panel travelled by land to the Ivorian border.

7. Late in May and in June the Panel embarked upon a second field mission to Portugal and Côte d'Ivoire. The Panel visited Abidjan and Yamoussoukro in the south, Bouaké, Korhogo and Ferkessédougou in the north and Wangolodougou in the far north of Côte d'Ivoire, close to the Malian and Burkina Faso frontier. This was followed late in June by a third mission to Togo, Senegal and Belarus. A mission to Ghana also occurred in mid-July, just prior to consultation with the Committee about this interim report.

8. The first priority of the Panel was to visit the countries of the region and Côte d'Ivoire. All neighbours of Côte d'Ivoire have been visited except Liberia. The Panel decided that, in accordance with resolution 1584 (2005), paragraph 7 (h), it would rely on the information provided by the Group of Experts established by resolution 1579 (2004) concerning Liberia. Its report (S/2005/360, paras. 75-83) covered allegations of recruitment in Liberia for armed groups in Côte d'Ivoire. The Panel also conducted a joint mission with its Liberia counterpart in Guinea and conducted an investigation on its behalf in Burkina Faso.

9. Cognizant of the report of the Secretary-General on inter-mission cooperation (S/2005/135) the Panel also actively sought to liaise with other United Nations agencies in New York and in the region whose work might overlap with sanctions. In New York the Panel met with officials from the Department for Disarmament Affairs, the Department of Political Affairs and the Department of Peacekeeping Operations. In Africa, the Panel met in Senegal with the regional United Nations Office for West Africa and the United Nations Office on Drugs and Crime. The Panel also visited the United Nations Regional Centre for Peace and Disarmament in Africa in Togo and various United Nations Development Programme offices across the region. The Office of the United Nations High Commissioner for Refugees also assisted the Panel in Guinea.

10. In Côte d'Ivoire the Panel liaised closely with the political, police and military branches of UNOCI. The Panel was pleased by the assistance it encountered although coordination between the different branches of UNOCI clearly remains a challenge at times. The Panel inspected the airports of Abidjan, Yamoussoukro, Bouaké and Korhogo, but excluded port visits until the Panel's customs expert became operational. The Panel had hoped to visit the west of the country but in view of the violence in June in Duékoué that trip was postponed for security reasons.

11. The Panel also met with the French forces in Côte d'Ivoire as required under the resolution and was fully briefed by them on their efforts to monitor the embargo.

12. The political situation in Côte d'Ivoire remains fragile and unpredictable, as highlighted by the progress reports of the Secretary-General on UNOCI (such as

S/2005/186 of 18 March 2005 and S/2005/398 of 17 June 2005). As part of its investigation the Panel is also examining the economic impact of the conflict on Côte d'Ivoire and the region, and the role that Ivorian natural resources play in funding military activities.

## IV. Tighter definition of the embargo

13. During its meetings with States, think tanks, non-governmental organizations and the media, the Panel encountered widespread confusion about the details of the embargo, the role of the Security Council Committee and the Panel of Experts.

14. This lack of clarity was also visible among UNOCI officials responsible for monitoring compliance of the embargo inside Côte d'Ivoire. The following are issues that need clarification:

(a) The status of the Ivorian air force: the media in the region and international non-governmental organizations reported to the Panel that they believed the Security Council had allowed the Government of Côte d'Ivoire to repair its aircraft neutralized in November 2004 by French action. The Forces nouvelles also complained to the Panel that UNOCI had allowed the Government to repair its air force and that this indicated double standards;

(b) Procurement of dual-use equipment such as 4x4 vehicles or Mi-8 transport helicopters and night sight equipment: a number of States believed that these fell outside of the terms of the resolution, even though these can be used for military action. The justification by the Ivorian authorities for their importation of military vehicles by the National Forces of Côte d'Ivoire (FANCI) through Abidjan port early in July shows why clearer definition is necessary;

(c) Confusion over how to request exemptions from the Security Council Committee: this is especially the case for spare parts for functioning dual-use equipment such as transport helicopters;

(d) Widespread uncertainty, including within the United Nations, over whether military training and dual-use maintenance equipment contracts signed prior to the adoption of resolution 1572 (2004) on 15 November 2004 were in violation of the sanctions;

(e) Uncertainty about the role of the Sanctions Committee and the Panel of Experts. Many officers in UNOCI believed the Panel of Experts would be stationed inside Côte d'Ivoire to direct their ground investigations;

(f) Frustration on the part of Member States at not being able to fully implement resolution 1572 (2004) as the Committee has failed to provide them names of individuals or organizations for an assets freeze or travel ban;

(g) Some organizations such as the International Cocoa Organization have failed to understand their obligations under resolutions 1572 (2004) and 1584 (2005) and have repeatedly refused to meet with the Panel of Experts. This is particularly disappointing regarding that organization, as it was established in 1973 to assist the implementation of the first international cocoa agreement and subsequent agreements under the auspices of the United Nations.

## V. Observations

15. The Panel was pleased to observe widespread general awareness of the existence of resolutions 1572 (2004) and 1584 (2005). As noted above, understanding of specifics was less good and the Panel believes that this could be improved by the Security Council Committee on Côte d'Ivoire issuing a statement of clarification. The Committee should emphasize that organizations like the International Cocoa Organization should fully cooperate with Security Council-mandated investigations.

16. The Panel also believes that this situation could be improved by an awareness trip of the Security Council Committee on Côte d'Ivoire to the region and to Côte d'Ivoire, led by its chairman. Such a trip would draw attention to a statement but also assist in educating about the role of the Sanctions Committee.

17. As expert groups tend to be small, the effectiveness of UNOCI monitoring inside Côte d'Ivoire will not be greatly enhanced in the short term by this Panel. The Panel believes that UNOCI would benefit from having its own customs expert to assist its efforts to monitor the Ivorian ports. This consultant could then directly liaise with the Panel's expert, whose mandate permits detailed investigation beyond the borders of Côte d'Ivoire.

## Annex

### Meetings and consultations

**Belarus**

*Government*

Ministry of Foreign Affairs

Ministry of Defence

Ministry of Internal Affairs

Department of International Security and Arms Control

State Military and Industrial Committee

Customs and Export Control

State company: BSVT (Belspetsv Technica)

*Diplomatic*

United States Embassy

*Multilateral and bilateral agency*

UNDP

**Belgium**

*Government*

Ministry of Defence

*Multilateral and bilateral agencies*

European Commission, External Relations, Kimberley Process

*Private sector*

Skytech

**Burkina Faso**

*Government*

Ministry of Foreign Affairs

Ministry of Defence

Ministry of Transport

Ministry of Security

Governor of Bobo Dioulasso

Radio national

Niangoloko Customs Office

*Diplomatic*

Embassy of Côte d'Ivoire

Embassy of Denmark

Embassy of France

Embassy of the United States of America

*Multilateral and bilateral agencies*

UNDP

*Private sector*

CICA

Evenent

L'Express du Faso

**Côte d'Ivoire**

*Government*

Ministry of Defence

Military base, Abidjan Airport

*Armed non-State actors*

Forces nouvelles

*Diplomatic*

Embassy of Angola

Embassy of Germany

Embassy of France

Embassy of Italy

Embassy of Israel

Embassy of the Russian Federation

Embassy of the United Kingdom of Great Britain and Northern Ireland

Embassy of the United States of America

*Multilateral and bilateral agencies*

Licorne

UNOCI

*Private sector*

Pathfinder

**France**

*Government*

Ministry of Foreign Affairs

Ministry of Defence

*Private sector*

Indigo Publications, La Lettre du Continent

**Guinea**

*Government*

Ministry of Foreign Affairs

Ministry of Defence

Ministry of Transport

Governor of Nzerekoré

Borderpost Piné

Borderpost Wolono

*Diplomatic*

Embassy of France

Embassy of Mali

Embassy of Ukraine

Embassy of the United States of America

*Multilateral and bilateral agencies*

Economic Community of West African States, Department of Political Affairs, Defence and Security

International Organization for Migration

UNHCR

World Food Programme

**Mali**

*Government*

Ministry of Foreign Affairs and African Integration

Ministry of Defence

Ministry of Transport and Equipment

Ministry of Internal Affairs and Security

Ministry of Administration and Territory

Centre for Strategic Studies

*Diplomatic*

Embassy of Côte d'Ivoire

Embassy of France

Embassy of Guinea

Embassy of the United States of America

*Multilateral and bilateral agencies*

UNDP

*Private sector*

Maison de presse

**Portugal**

*Government*

Ministry of Foreign Affairs

Ministry of Defence

*Multilateral and bilateral agencies*

International Institute for Strategic and International Studies

**Senegal**

*Multilateral and bilateral agencies*

ASECNA

ICAO, Regional Office

International Crisis Group

United Nations Office for West Africa

United Nations Office on Drugs and Crime

**Togo**

*Government*

Ministry of Foreign Affairs

Ministry of Defence

Ministry of Transport

Ministry of Commerce

*Diplomatic*

Embassy of France

Embassy of Ghana

Embassy of the United States of America

*Multilateral and bilateral agencies*

United Nations Regional Centre for Peace and Disarmament in Africa

UNDP

*Private sector*

Darkwood Logistics

SAS Togo

Gypaele Togo

R. M. Holdings

**United Kingdom of Great Britain and Northern Ireland**

*Government*

Foreign and Commonwealth Office

*Private sector*

Africa Confidential

Economist Intelligence Unit

Jane's Information Group

ED&F MAN Cocoa Ltd.

*Multilateral and bilateral agencies*

The Federation of Cocoa Commerce Ltd.

The Royal Institute of International Affairs, Chatham House

**United States of America**

*Multilateral and bilateral agencies*

Council for Foreign Relations

Human Rights Watch

International Crisis Group

**United Nations**

Department for Disarmament Affairs

Department of Peacekeeping Operations

Department of Political Affairs

*Permanent Missions*

Côte d'Ivoire

France

Greece